

UNITED STATE DISTRICT COURT
DISTRICT OF WYOMING

CONNIE LANGILLE AND PAUL E.
LANGILLE,

Plaintiffs,

v.

TRANSCO, INC., KEITH PETER AND
MCLANE FOOD SERVICE, INC.,

Defendants.

CIVIL ACTION
FILE NO.: 2:12-cv-00189-ABJ

**ORDER ON DEFENDANTS' MOTION TO
EXCLUDE THE TESTIMONY OF LEW GRILL**

IT APPEARING TO THE COURT, that the Defendants filed a Motion to exclude certain portions of the testimony of Plaintiffs' truck safety/industry standard expert Lew Grill alleging that Mr. Grill's opinions do not meet the requirements of Rule 702 of the Federal Rules of Evidence and Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993), and

IT APPEARING TO THE COURT, that the Court reviewed the testimony of Mr. Grill, Defendant's Brief, Plaintiffs' Brief, and having heard argument on the issues.

IT IS HEREBY ORDERED AND ADJUDGED, that Defendants' Motion is GRANTED and Mr. Grill shall not give any opinions: as to whether any actions by the Defendants would constitute a violation of law; that Defendant Keith Peter should not have steered left in response to Plaintiff Connie Langille entering his lane; as to the standard of care of a professional truck driver; that Defendant Peter failed to properly respond to a hazard and had plenty of time to see and avoid that hazard; that Defendant Peter failed to exercise extreme caution required by the conditions; and that 51 miles per hour was too fast for conditions.

Dated this _____ day of October, 2012.

Alan B. Johnson
United States District Judge